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13 **UNITED STATES DISTRICT COURT**  
14 **NORTHERN DISTRICT OF CALIFORNIA**  
15 **SAN FRANCISCO DIVISION**

17 JUAN AREVALO, MITCHELL SANDOW,  
18 and ANGELA ZELENY, individually and on  
19 behalf of all others similarly situated,

19 Plaintiffs,

20 v.

21 BANK OF AMERICA CORPORATION and  
22 FIA CARD SERVICES, N.A.,

23 Defendants.

Case No. 10-CV-04959-TEH

**STIPULATION EXTENDING TIME FOR  
DEFENDANTS TO RESPOND TO  
SECOND AMENDED COMPLAINT**

Second Amended Complaint Filed: April 29,  
2011

Judge: Hon. Thelton E. Henderson

**STIPULATION EXTENDING TIME FOR DEFENDANTS TO RESPOND TO SECOND AMENDED COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 6-1(a), Plaintiffs Juan Arevalo, Mitchell Sandow and Angela Zeleny (“Plaintiffs”) and Defendants Bank of America Corporation and FIA Card Services, N.A., (“Defendants”) (together, with Plaintiffs, the “Parties”), through their undersigned counsel, stipulate as follows:

WHEREAS, on April 29, 2011, Plaintiffs filed a Second Amended Complaint (Dkt. No. 40) in this action;

WHEREAS, under Fed. R. Civ. P. 6 and 12, Defendants’ responsive pleading to the Second Amended Complaint would be due on or before May 13, 2011;

WHEREAS, the Parties have agreed that Defendants shall have an extension of time to file their responsive pleading;

WHEREAS, the stipulated extension does not affect any proceeding on the court’s calendar; and

WHEREAS, this Stipulation is without prejudice to, or waiver of, any rights of defenses otherwise available to the Parties in this action.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between Plaintiffs, by their undersigned counsel, and Defendants, by their undersigned counsel, that Defendants shall have through and including May 27, 2011 to answer or otherwise respond to the Second Amended Complaint.

1 Dated: May 10, 2011

Respectfully submitted,

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